## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS BEAUMONT DIVISION

JONATHAN M. MOORE, SR.	§	
VS.	§	CIVIL ACTION NO. 1:10CV 310
S.D. SAWYER, ET AL	§	

## MEMORANDUM ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, Jonathan M. Moore, Sr., an inmate confined at the U.S. Penitentiary in Beaumont, Texas, proceeding *pro se* and *in forma pauperis*, brings this *Bivens*-type civil rights lawsuit against Disciplinary Hearing Officer S.D. Sawyer, Regional Director G. Maldonado, Jr., and National Inmate Appeals Administrator Harrell Watts.

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends plaintiff's *Bivens* complaint be dismissed with prejudice subject to reassertion if the requirements of *Heck v. Humphrey*, 512 U.S. 477 (1994) are met.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

## **ORDER**

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in

this case in accordance with the magistrate judge's recommendations.

So ORDERED and SIGNED this 8 day of March, 2011.

Ron Clark, United States District Judge

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